

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLARD L. SLOAN, EUGENE J.  
WINNINGHAM, and JAMES L. KELLEY,  
on behalf of themselves and a similarly  
situated class,

Plaintiffs,

Case No. 09-cv-10918  
Hon. Paul D. Borman  
Magistrate Mona K. Majzoub

v.

**Class Action**

BORGWARNER, INC., BORGWARNER  
FLEXIBLE BENEFITS PLANS and  
BORGWARNER DIVERSIFIED  
TRANSMISSION PRODUCTS, INC.,

Defendants.

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**EXHIBIT LIST TO  
PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT AS TO LIABILITY**

1. Richard Nuerge Deposition Transcript
2. 1989 Health Insurance Agreement
3. Jerry French Deposition Transcript and Exhibits
4. 1992 Agreement and Modification and Extension of Health Insurance Agreement
5. 1992 Health Insurance Agreement
6. 1995 Health Insurance Agreement
7. 11/1/04 Turczynowsky Email re Deductible/Stop-Loss
8. 1998 Insurance Highlights
9. 11/28/00 Tentative Agreement on Insurances and Pensions
10. 11/28/00 "Excerpts" from Agreement on Insurances and Pensions
11. George Turczynowsky Transcript

12. 4/1/05 Tentative Agreement
13. 4/8/05 Clarifications on Tentative Agreement
14. UAW Local 287 April 2005 Tentative Agreement
15. Order in 2006 BorgWarner Case in Indiana
16. Michelle DuFour Deposition Transcript
17. 2009 Your Health Care Travel Guide
18. 5/1/09 BorgWarner DTP Notice re Prescription and Medicare
19. 2009 Your Retiree Health Care Travel Guide
20. 2009 BorgWarner Benefit Enrollment Form
21. 2009 Plant Shutdown Agreement
22. 10/27/89 Retirement Income Program Guide Booklet
23. 3/12/95 Retirement Income Program Guide Booklet
24. 1/90 Retirement- General Summary
25. 5/95 Retirement- General Summary
26. 2/14/89 Fax with Retirement- General Summary
27. 9/27/99 Nuerge Letter
28. Letters to Surviving Spouses re Health Care Coverage
29. Borg Warner DTP/UAW Joint Position Statement
30. 3/24/87 Hourly Retirees Insurance Booklet Draft
31. 12/18/95 Turczynowsky Letter to CIGNA re Stop-Loss and Deductibles
32. 1986 Health Insurance Agreement
33. *Bender v. Newell Window*, Case No. 11-1335
34. *McCoy v. Meridian Automotive Systems, Inc.*, C.A. No. 03-74613,  
2004 U.S. Dist. LEXIS 29219 \*2 (E.D. Mich., Feb. 6, 2004)

35. *McCoy v. Meridian Automotive Systems, Inc.*,  
2005 U.S. Dist. LEXIS 40129 (E.D. Mich. 2005)